

REMARKS

Claims 30-33, 35-39 and 42-45 are pending and under consideration in the above-identified application. Claims 1-14 stand withdrawn pursuant to a restriction requirement issued on June 25, 2008 and claims 15-29, 34, 40 and 41 were cancelled previously.

In the Final Office Action dated March 23, 2010, the Examiner rejected claims 30-33, 35-39 and 42-45.

With this Amendment, claim 37 was amended. No new matter has been introduced as a result of the amendments.

I. 35 U.S.C. § 112 Indefiniteness Rejection of Claims

Claim 33 was rejected under 35 U.S.C. § 112, second paragraph. Specifically, the Examiner argued that claim 33 lacks antecedent basis for the limitation, “said aromatic polymer has an aromatic skeleton in a main chain thereof and is at least one or more of polycarbonate...polysulfone” because independent claim 30 only requires that the aromatics are in the side chains and not the main chain. Office Action, page 2. Applicant respectfully disagrees. Independent claim 30 generally requires a flame retarder that includes an aromatic polymer. Claim 33 properly requires the additional limitation that the aromatic polymer has an aromatic skeleton in the main chain of the aromatic polymer; in addition to monomer units having aromatic skeletons in a side chain. Accordingly, Applicant respectfully requests that the above rejection be withdrawn.

II. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 30-32, 35-39 and 42-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Inagaki et al. (U.S. Patent No. 5,994,423). Applicant respectfully traverses this rejection.

The claims require a resin composition that includes a flame retarder. The flame retarder includes an aromatic polymer containing monomer units having aromatic skeletons in a side chain ranging between 1 mol% and 100 mol%, and sulfonic acid groups and/or sulfonate groups are introduced in an amount ranging from 0.1 mol % to 14.9 mol% onto the aromatic polymer.

Inagaki et al. teaches a polymer that is an effective urine absorber. Inagaki et al., Abstract. The polymer is a sulfonate of a polymer containing sulfonic acid groups and/or sulfonate groups that is very hydrophilic. Inagaki et al., Col. 2, lines 38-41. The hydrophilic properties required for urine absorption are obtained with high levels of sulfonic acid groups disclosed in examples 1-4 of Inagaki et al. Indeed, Inagaki et al. teaches high levels of sulfonic acid groups, rather than the lower range required by the claims.

Moreover, the field of invention of the present application is significantly different from the invention of Inagaki et al. Specifically, the present invention relates to a flame retardant composition, while Inagaki et al. teaches a urine absorber for human beings and animals. The Examiner has failed to provide any reason that would have prompted a person of ordinary skill in the art in the field of flame retardant compositions to modify a reference in a completely unrelated field, i.e., urine absorption. As such, claims 30-32, 35-39 and 42-44 are patentable over the above cited references. Accordingly, Applicant respectfully requests that the above rejections be withdrawn.

Claim 45 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nodera et al. (WO 2002/059,206; U.S. Publication No. 2004 0054045 serving as English translation) (hereinafter "Nodera '045") in view of Nodera et al. (WO 2001 010956; U.S. Patent No. 6,727,312 serving as English translation) (hereinafter "Nodera '312"). Applicant respectfully traverses this rejection.

Nodera '045 teaches a resin that includes an aromatic vinyl resin. Nodera '045, [0031]. The aromatic vinyl resin includes "a structural unit derived from styrene in the polymer chain." However, Nodera '045 does not teach or even fairly suggest aromatic skeletons in a side chain of the resin as required by the claims. As such, claim 45 is patentable over the above cited references. Accordingly, Applicant respectfully requests that the above rejection be withdrawn.

III. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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